

## Alexander Burke

---

**From:** Alexander Burke  
**Sent:** Wednesday, October 17, 2018 10:09 AM  
**To:** 'Olson, Charity A'  
**Cc:** Dan Marovitch; 'Siyufy, Karen L.'; 'Larry Smith'  
**Subject:** RE: Saunders v DONI - Discovery

Charity,

During our telephone conversation yesterday, you told me for the first time that DONI had responded to the requests for admission by snail mail, and that it had elected not to respond to our interrogatories and document requests on time. I asked you why you had not responded to my inquiries, and why you had not asked for an extension, and you did not have an answer.

You promised to have substantive responses to our interrogatories and documents produced by Monday, October 22, 2018.

DONI's unilateral decision to take more time for responding to discovery without mentioning it to me, aggravated by your failure to respond to my meet and confer communications inquiring about why we haven't received responses, are not well-taken. There exists no basis in law or equity for your actions; you just blew me off. This is not the first time in this case that you did this; it shall be the last.

Plaintiff's position is that DONI's actions and omissions in responding to the discovery requests has resulted in automatic and equitable waiver of all objections. Hopefully, we will not have to raise this with the Court. We look forward to a thorough and wholesome production of all responsive information and documents on Monday, by email or ftp transfer.

Alex

## BURKE LAW OFFICES, LLC

155 N. Michigan Ave., Suite 9020  
Chicago, IL 60601  
(312) 729-5288  
[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)  
[www.BurkeLawLLC.com](http://www.BurkeLawLLC.com)

---

**From:** Olson, Charity A <[caolson@varnumlaw.com](mailto:caolson@varnumlaw.com)>  
**Sent:** Monday, October 15, 2018 10:18 AM  
**To:** Alexander Burke <[ABurke@burkelawllc.com](mailto:ABurke@burkelawllc.com)>  
**Cc:** Dan Marovitch <[dmarovitch@burkelawllc.com](mailto:dmarovitch@burkelawllc.com)>; Siyufy, Karen L. <[klsiyufy@varnumlaw.com](mailto:klsiyufy@varnumlaw.com)>; Larry Smith <[lsmith@smithmarco.com](mailto:lsmith@smithmarco.com)>  
**Subject:** Re: Saunders v DONI - Discovery

Alex,

I am back tomorrow. Lets connect at 1 pm if possible. I can update you at that time.

Thanks

On Oct 15, 2018, at 11:09 AM, Alexander Burke <[ABurke@burkelawllc.com](mailto:ABurke@burkelawllc.com)> wrote:

Charity,

I'm leaving you another voice mail right now.

We haven't received DONI's discovery responses, and are ramping up a motion.

Call me at 773-456-1344 if you care to meet and confer.

Alex

## BURKE LAW OFFICES, LLC

155 N. Michigan Ave., Suite 9020

Chicago, IL 60601

(312) 729-5288

[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)

[www.BurkeLawLLC.com](http://www.BurkeLawLLC.com)

---

**From:** Alexander Burke <[ABurke@burkelawllc.com](mailto:ABurke@burkelawllc.com)>

**Sent:** Friday, October 12, 2018 4:36 PM

**To:** Olson, Charity A <[caolson@varnumlaw.com](mailto:caolson@varnumlaw.com)>

**Cc:** Dan Marovitch <[dmarovitch@burkelawllc.com](mailto:dmarovitch@burkelawllc.com)>; Siyufy, Karen L. <[klsiyufy@varnumlaw.com](mailto:klsiyufy@varnumlaw.com)>

**Subject:** RE: Saunders v DONI - Discovery

Charity,

We have not heard back from you regarding the discovery responses.

I propose we have a meet and confer telephone call Monday at 11:00am eastern (10:00am central).

Alex

## BURKE LAW OFFICES, LLC

155 N. Michigan Ave., Suite 9020

Chicago, IL 60601

(312)729-5288

[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)

---

**From:** Alexander Burke <[aburke@burkelawllc.com](mailto:aburke@burkelawllc.com)>

**Sent:** Tuesday, October 9, 2018 8:37 PM

**To:** Olson, Charity A <[caolson@varnumlaw.com](mailto:caolson@varnumlaw.com)>

**Cc:** Dan Marovitch <[dmarovitch@burkelawllc.com](mailto:dmarovitch@burkelawllc.com)>; Siyufy, Karen L. <[klsiyufy@varnumlaw.com](mailto:klsiyufy@varnumlaw.com)>

**Subject:** Re: Saunders v DONI - Discovery

Charity

I didn't see these responses come through. When should we expect them?

Alex

Burke Law Offices, LLC  
155 N. Michigan Ave., Suite 9020  
Chicago, IL 60601  
(312)729-5288  
[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)

On Sep 24, 2018, at 4:52 PM, Olson, Charity A <[caolson@varnumlaw.com](mailto:caolson@varnumlaw.com)> wrote:

Thanks – I really appreciate it.

I've copied my new assistant, Karen Siyufy, so she is in the loop going forward.

**Charity A. Olson**  
Counsel  
Direct: (734) 372-2914

<image001.png>

Varnum LLP  
300 N. 5th Ave., Suite 230  
Ann Arbor, Michigan 48104

Main: (734) 372-2900  
Fax: (734) 372-2940  
[www.varnumlaw.com](http://www.varnumlaw.com)

\*\*\*\*\*

CONFIDENTIAL

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is only for viewing and use of the intended recipients. If you are not an intended recipient, you are hereby notified that any use, disclosure, or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender at (734) 372-2900

---

**From:** Alexander Burke [<mailto:aburke@burkelawllc.com>]  
**Sent:** Monday, September 24, 2018 5:24 PM  
**To:** Olson, Charity A  
**Cc:** Dan Marovitch  
**Subject:** Re: Saunders v DONI - Discovery

That's fine.

Alex Burke

Burke Law Offices, LLC  
155 N. Michigan Ave., Suite 9020  
Chicago, IL 60601  
(312)729-5288  
[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)

On Sep 24, 2018, at 4:14 PM, Olson, Charity A <[caolson@varnumlaw.com](mailto:caolson@varnumlaw.com)> wrote:

Alex – Not sure if you saw my email or not. Are you OK with my request below? Please let me know.

**Charity A. Olson**  
Counsel  
Direct: (734) 372-2914

<image001.png>

Varnum LLP  
300 N. 5th Ave., Suite 230  
Ann Arbor, Michigan 48104

Main: (734) 372-2900  
Fax: (734) 372-2940  
[www.varnumlaw.com](http://www.varnumlaw.com)

\*\*\*\*\*

**CONFIDENTIAL**

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is only for viewing and use of the intended recipients. If you are not an intended recipient, you are hereby notified that any use, disclosure, or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender at (734) 372-2900

\*\*\*\*\*

---

**From:** Olson, Charity A  
**Sent:** Monday, September 24, 2018 10:25 AM  
**To:** Alexander Burke  
**Cc:** Dan Marovitch  
**Subject:** Saunders v DONI - Discovery  
**Importance:** High

Hi Alex:

Can I please have another 14 days to serve my responses?

I have been bogged down with trial prep and two appeals briefs. Now that those items are behind me, I can turn my attention to Plaintiff's requests.

I appreciate your consideration.

P.S. My notes reflect that you were going to send me a demand. If I overlooked it, I'm sorry. Let me know.

**Charity A. Olson**  
Counsel  
Direct: (734) 372-2914

<image001.png>

Varnum LLP  
300 N. 5th Ave., Suite 230  
Ann Arbor, Michigan 48104

Main: (734) 372-2900  
Fax: (734) 372-2940  
[www.varnumlaw.com](http://www.varnumlaw.com)

\*\*\*\*\*

**CONFIDENTIAL**

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is only for viewing and use of the intended recipients. If you are not an intended recipient, you are hereby notified that any use, disclosure, or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender at (734) 372-2900

\*\*\*\*\*